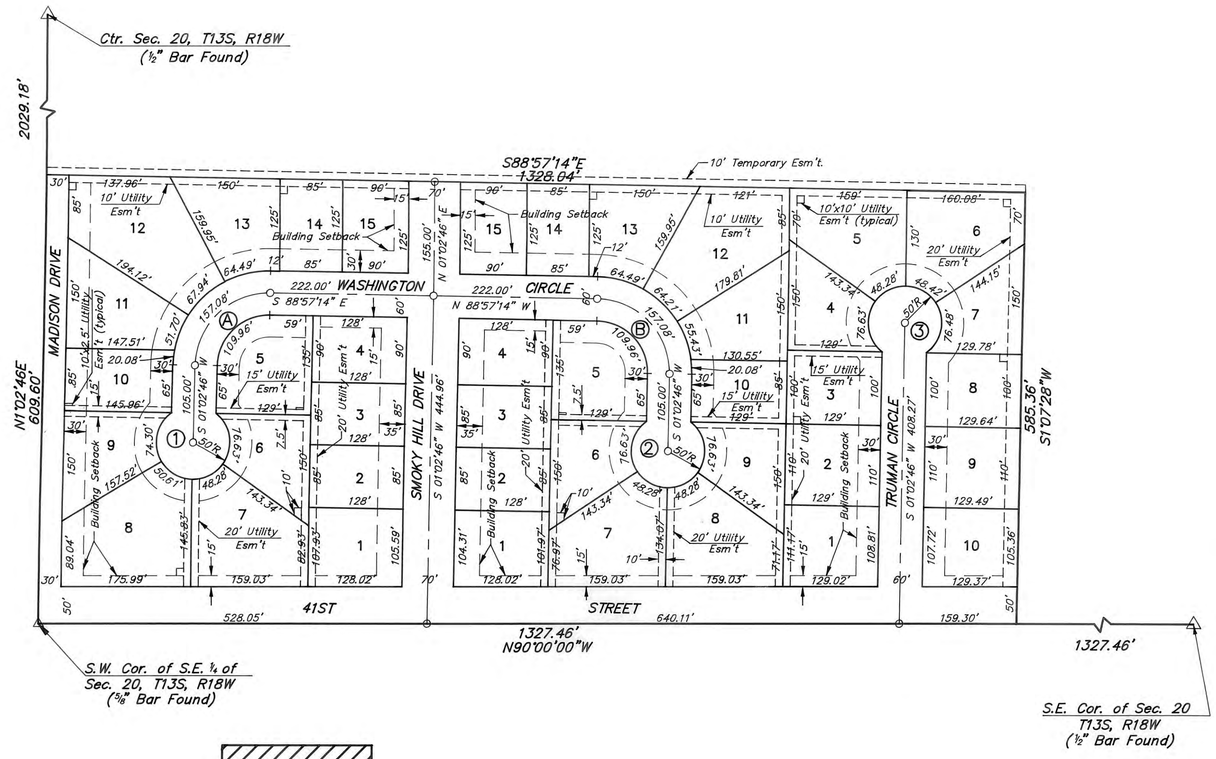
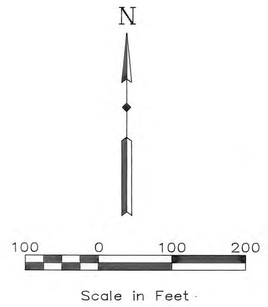
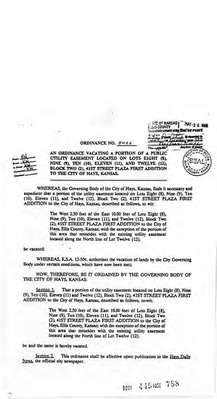
PLAT OF

41ST STREET PLAZA FIRST ADDITION

HAYS, KANSAS







ORDINANCE NO. 3444

AN ORDINANCE VACATING A PORTION OF A PUBLIC UTILITY EASEMENT LOCATED ON LOTS EIGHT (8), NINE (9), TEN (10), ELEVEN (11), AND TWELVE (12), BLOCK TWO (2), 41ST STREET PLAZA FIRST ADDITION TO THE CITY OF HAYS, KANSAS.

WHEREAS, the Governing Body of the City of Hays, Kansas, finds it necessary and expedient that a portion of the utility easement located on Lots Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Two (2), 41ST STREET PLAZA FIRST ADDITION to the City of Hays, Kansas, described as follows, to wit:

The West 3.00 feet of the East 10.00 feet of Lots Eight (8), Nine (9), Ten (10), Eleven (11), and Twelve (12), Block Two (2), 41ST STREET PLAZA FIRST ADDITION to the City of Hays, Ellis County, Kansas; with the exception of the portion of this area that coincides with the existing utility easement located along the North line of Lot Twelve (12);

be vacated;

WHEREAS, K.S.A. 12-504, authorizes the vacation of lands by the City Governing Body under certain conditions, which have now been met;

NOW, THEREFORE, BE IT ORDAINED BY THE GOVERNING BODY OF THE CITY OF HAYS, KANSAS:

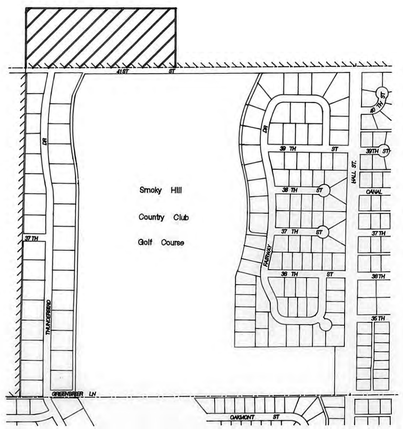
Section 1. That a portion of the utility easement located on Lots Eight (8), Nine (9), Ten (10), Eleven (11), Block Two (2), 41ST STREET PLAZA FIRST ADDITION to the City of Hays, Kansas, described as follows, to wit:

The West 3.00 feet of the East 10.00 feet of Lots Eight (8), Nine (9), Ten (10), Eleven (11), Block Two (2), 41ST STREET PLAZA FIRST ADDITION to the City of Hays, Ellis County, Kansas; with the exception of the portion of this area that coincides with the existing utility easement located along the North line of Lot Twelve (12);

be and the same is hereby vacated.

Section 2. This ordinance shall be effective upon publication in the Hays Daily News, the official city newspaper.

1995 415 PAGE 758



LOCATION MAP

℄ CURVE DATA				
CURVE	△	R	T	Lc
Ⓐ	90°00'00"	100.00'	100.00'	157.08'
Ⓑ	90°00'00"	100.00'	100.00'	157.08'

LEGAL DESCRIPTION:

A tract of land situated in the West Half (W ½) of the Southeast Quarter (SE ¼) of Section 20, Township 13 South, Range 18 West of the Sixth Principal Meridian in Ellis County, Kansas, and more particularly described as follows:

Beginning at the Southwest (SW) corner of the Southeast Quarter (SE ¼) of Section 20, Township 13 South, Range 18 West, THENCE on an assumed bearing of N1°02'46"E along the West (W) line of said Southeast Quarter (SE ¼) a distance of 609.60 feet; THENCE on a bearing of S88°57'14"E, a distance of 1328.04 feet to the East (E) line of the West Half (W ½) of said Southeast Quarter (SE ¼); THENCE on a bearing of S1°07'28"W along said East (E) line, a distance of 585.36 feet, to the South (S) line of said Southeast Quarter (SE ¼); THENCE on a bearing of N90°00'00"W along the South (S) line of said Southeast Quarter (SE ¼), a distance of 1327.46 feet to the point of beginning. Said tract contains 18.21 acres.

STREETS & EASEMENTS:

Streets, drives, and circles as shown on this plat and not heretofore dedicated to and for public use are hereby dedicated.

Easements are hereby dedicated for public use, as utility easement right-of-way, which are shown as lying between the dashed lines in widths indicated and as set forth on this plat, and said easements may be employed for the purpose of installing, repairing and maintaining gas lines, electric lines, telephone lines, and all other forms and types of public utilities, now or hereafter used, by the public over, under and along the strips marked "Utility Esm't."

OWNER'S CERTIFICATE:

Know all men by these presents, that we, the undersigned property owners of the land above described have caused the same to be surveyed and platted into Lots, Blocks, Streets, Drives, Circles and Easements, the same to be known as "41st Street Plaza First Addition," in Hays, Kansas. The Streets, Drives and Circles are hereby dedicated to and for the use of the public, and the easements as indicated on the accompanying plat are hereby granted to the public for the purpose of constructing, operating, maintaining, and repairing all public utilities.

Western Plains Service Corporation

By James Desbien, President

APPROVALS:

This plat, 41st Street Plaza First Addition has been submitted to and approved by the Hays Planning Commission this 7TH *day of* MARCH, 19 94.

CHAIRMAN

SECRETARY

The dedications shown on this plat accepted by the City Commission of the City of Hays, Kansas, this 14 *day of* April, 19 94.

MAYOR

ATTEST: City Clerk

RECORDED:

State of Kansas, County of Ellis, ss:

This is to certify that this instrument was filed for record in the Register of Deeds Office on the 1st *day of* Aug, 19 94 *in Book* Cab, *Page* 340.

REGISTER OF DEEDS

DEPUTY

Plat & Addi - 406-69
Reset - 406-75

NOTARY CERTIFICATE:

State of Kansas, County of Ellis, ss:

Be it remembered that on this 4TH *day of* March, 1994, *before me, a Notary Public in and for said County and State, came James Desbien, President of Western Plains Service Corp. to me personally known to be the same person who executed the foregoing instrument of writing and duly acknowledged the execution of same. In testimony whereof, I have hereunto set my hand and affixed my notarial seal, the day and year above written.*

Notary Public

My Commission Expires: 2-22-97

SURVEYOR'S CERTIFICATE:

I, Harvey Ruder, a licensed Professional Engineer and Registered Land Surveyor in the State of Kansas, do hereby certify this plat to be true and correct to the best of my knowledge.

Harvey Ruder — Date 3-7-94

BUCHER, WILLIS & RATLIFF
ENGINEERS ▪ PLANNERS ▪ ARCHITECTS

HARVEY RUDER
REGISTERED
LS-918
KANSAS
3-7-94
LAND SURVEYOR